

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Levon Aleksanian, et al.,

Plaintiffs,

- against -

Andrew Cuomo, et al.,

Defendants.

**Notice of Motion
To Dismiss the
Complaint**

Original to be Filed by ECF

1:16-cv-04183-JLG-RLM

PLEASE TAKE NOTICE THAT, upon the Plaintiffs' complaint, dated July 28, 2016; the accompanying Memorandum of Law, dated December 16, 2016, together with the Declaration of Jonathan D. Conley, dated December 16, 2016, and the Affidavit of Thomas Neumann, dated December 16, 2016, in support of the New York State Department of Labor's motion to dismiss the complaint; and all other papers and proceedings herein, Defendants the New York State Department of Labor and its Commissioner, Roberta Reardon, by their attorney, ERIC T. SCHNEIDERMAN, Attorney General of the State of New York, shall move this Court, before the Honorable I. Leo Glasser, at the United States Courthouse, Eastern District of New York, 225 Cadman Plaza, Brooklyn, NY 11201, at a date and time to be determined by the Court, for an order dismissing all claims in the complaint, with prejudice, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and granting any other relief the Court may deem just and proper.

Dated: New York, New York
December 16, 2016

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York
*Attorney for the New York State Department
of Labor and Commissioner Roberta Reardon*
By:

/s/ Jonathan D. Conley
Jonathan D. Conley
Assistant Attorney General
120 Broadway, 24th Floor
New York, New York 10271
(212) 416-8108

To: Nicole Salk, Esq.
Edward Josephson, Esq.
Brooklyn Legal Services
105 Court Street, 3rd floor
By ECF